

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

FRANKLIN CONSTRUCTION GROUP, LLC

Plaintiff(s)

v.

WILLIAM SHORE, JWSC, LLC, KEITH MEADOWS,
JOSEPH HEATH, HYDS INC., DEAN BINGHAM, LUNDON
JOHNSON, TYLER WEBER, JOEL CHEVRETTE, DANNY
KNOWLES, SCOTT MATTHEWS, and LOWE'S HOME
CENTERS, INC.,

Defendant(s)

Civil Action No. 3:24-cv-1255

ALIAS SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Scott Matthews
309 Whippoorwill Road
Mooresville, NC 28117

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Todd E. Panther
Christopher S. Sabis
Thomas B. Hall
Sherrard Roe Voigt & Harbison, PLC
1600 West End Avenue, Suite 1750
Nashville, TN 37203
(615) 742-4200

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/23/2024



Amelia Donigan
Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☒ I returned the summons unexecuted because _____ unable to serve (see attached) _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Todd E. Panther SBN: 014438 SHERRARD ROE VOIGT & HARBISON 1600 West End Avenue, Nashville, TN 37203 TELEPHONE NO.: (615) 850-6845 FAX NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff		FOR COURT USE ONLY	
USDC EASTERN DISTRICT OF TENNESSEE GREENVILLE DIVISION STREET ADDRESS: 220 WEST DEPOT STREET SUITE 200 CITY AND ZIP CODE: GREENEVILLE, TN 37743 HEARING DATE:		REFERENCE NUMBER: 13980-005	
Plaintiff(s): FRANKLIN CONSTRUCTION GROUP, LLC Defendant(s): WILLIAM SHORE, JWSC, LLC, et al.			
DECLARATION OF DILIGENCE		CASE NUMBER: 3:24-cv-1255	

I received the within assignment for filing and/or service on December 23, 2024 and that after due and diligent effort I have not been able to serve said person. I attempted service on this servee on the following dates and times:

Servee: **Scott Matthews**

Documents: **See attached Document List**

Address: **309 Whippoorwill Rd**
Mooreville, NC 281175804

As enumerated below:

12/27/2024 -- 7:30 PM 309 Whippoorwill Rd
Home Mooreville, NC 281175804

There was no answer at the door. No activity was observed. Neighbor did not know the names of the people that live there.

12/28/2024 -- 10:30 AM 309 Whippoorwill Rd
Home Mooreville, NC 281175804

There was no answer at the door. I did see a Fedex letter on the porch.

1/2/2025 -- 5:30 PM 309 Whippoorwill Rd
Home Mooreville, NC 281175804

There was no answer at the door. The Fedex letter was still there. Construction crew working in back yard but no one spoke any english.

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County: **Aiken, Edgefield, Sauda**
 Registration No.:
Nationwide Legal, LLC
1609 James M Wood Blvd.
Los Angeles, CA 90015

I declare under penalty of perjury under the laws of the State of California that I am over the age of 18, not a party to this action and that the foregoing is true and correct. This declaration was executed on 1/24/2025.

Signature: 
C.P. Blackmire

DECLARATION OF DILIGENCE

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Todd E. Panther SBN: 014438 SHERRARD ROE VOIGT & HARBISON 1600 West End Avenue, Nashville, TN 37203 TELEPHONE NO.: (615) 850-6845 FAX NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff		FOR COURT USE ONLY	
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Documents: **See attached Document List**

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 Mooresville, NC 281175804

As enumerated below:

Continued from Previous Page


1/4/2025 -- 10:45 AM 309 Whippoorwill Rd
Home Mooresville, NC 281175804

Letter still there. Construction crew was there but this time manager spoke English. He stated that Scott lives out of state and is not expected back in NC for quite a while. They are doing an extensive remodel both inside and outside. Just starting in the inside work that day.



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Signature: 
C.P. Blackmire

Order#: LA596642/DilFormat.mdl

DECLARATION OF DILIGENCE

1609 James M Wood Blvd. Los Angeles, CA 90015

Phone: (213) 249-9999 | Fax: (213) 249-9990

DOCUMENT LIST

Summons; Complaint; Alias Summons; NOTICE OF ALIAS SUMMONS TO BE ISSUED; CIVIL COVER SHEET; ORDER; NOTICE OF APPEARANCE; MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING, ANSWER, MOVE OR OTHERWISE PLEAD; ORDER GRANTING EXTENSION OF TIME; DEFENDANT LOWE'S HOME CENTERS, INC.'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD TO THE COMPLAINT; UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT OF DEFENDANTS HYDS, INC., KEITH MEADOWS, AND JOSEPH HEATH; MOTION FOR ADMISSION PRO HAC VICE; UNOPPOSED JOINT MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT OF DEFENDANTS HYDS, INC., KEITH MEADOWS, AND JOSEPH HEATH; MOTION FOR ADMISSION PRO HAC VICE; CERTIFICATE OF GOOD STANDING; UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING; FRANKLIN CONSTRUCTION GROUP, LLC'S MOTION FOR DEFAULT JUDGMENT AGAINST WILLIAM SHORE AND JWSC, LLC; DECLARATION OF TODD E. PANTHER; FRANKLIN CONSTRUCTION GROUP, LLC'S MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION FOR DEFAULT JUDGMENT AGAINST WILLIAM SHORE AND JWSC, LLC; NOTICE OF SPECIAL SPPEARANCE OF ADDITIONAL COUNSEL FOR DEFENDANT JOEL CHEVRETTE; NOTICE REGARDING CONSENT OF THE PARTIES; NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE; NOTICE OF SETTING OF INITIAL CASE MANAGEMENT CONFERENCE